

UPN-Q3355USA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/586,890 Confirmation No.: 1686  
Applicant : Stedman et al  
Filed : July 21, 2006  
TC/A.U. : 1653  
Examiner :  
Customer No. : 00270  
Title : MICROUTROPHIN AND USES THEREOF

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SECOND INFORMATION DISCLOSURE STATEMENT**

Sir:

Applicant submits to the Examiner the attached Form PTO/SB/08A/B document listing and this paper pursuant to 37 CFR § 1.56 and § 1.97-1.98. Form PTO/SB/08A/B is attached and copies of the documents are enclosed herewith.

This Information Disclosure Statement is submitted with cited documents from the International Search Report and counterpart International Patent Application PCT/US05/01768. These documents are submitted before the receipt of a first Office Action on the merits. Therefore, no fees are believed due.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<p style="text-align: center;"><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i></p>				<i>Complete if Known</i>	
				Application Number	10/586,890
				Filing Date	July 21, 2006
				First Named Inventor	Stedman et al
				Group Art Unit	1653
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	UPN-Q3355USA

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> - Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	E	PCT WO 01/25461 A1	04-12-2001	Isis Innovation Limited		

Examiner Signature		Date Considered	
-----------------------	--	--------------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Substitute for form 1449/PTO		<b>Complete if Known</b>		
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		Application Number	10/586,890	
		Filing Date	July 21, 2006	
		First Named Inventor	Stedman et al	
		Group Art Unit	1653	
		Examiner Name		
Sheet	2	of	2	Attorney Docket Number
UPN-Q3355USA				

<b>NONPATENT LITERATURE DOCUMENTS</b>				
Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item, (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		
	<b>F</b>	<b>AMANN ET AL</b> , Utrophin Lacks the Rod Domain Actin Binding Activity of Dystrophin, The Journal of Biological Chemistry, Vol. 274, No. 50, pp. 3575-35380, (December 10, 1999)		T <sup>2</sup>
	<b>G</b>	<b>BARANOV ET AL</b> , The Current State and Prospects of The Gene Therapy of Duchenne Muscular Dystrophy Worldwide and in Russia, Russian Journal of Genetics, Vol. 37, No. 8, pp. 868-875, (August 2001)		
	<b>H</b>	<b>GILBERT ET AL</b> , Improved Performance of a Fully Gutted Adenovirus Vector Containing Two Full-Length Dystrophin cDNAs Regulated by a Strong Promoter, Molecular Therapy, Vol. 6, No. 4, (October 2002)		
	<b>I</b>	<b>GUO ET AL</b> , Cloning and Expression of Full length Mouse Utrophin: The Differential association of Utrophin and Dystrophin with AChR Clusters, FEBS Letters, 398, (2-3), pp. 259-264, (December 1996)		
	<b>J</b>	<b>PERKINS ET AL</b> , The Role of Utrophin in the Potential Therapy of Duchenne Muscular Dystrophy, Neuromuscular Disorders, 12, Suppl. 1, pp. S78-S89, (October 2002)		
	<b>K</b>	<b>SQUIRE ET AL</b> , Prevention of Pathology in mdx Mice by Expression of Utrophin: Analysis Using an Inducible Transgenic Expression System, Human Molecular Genetics, Vol. 11, No. 26, pp. 3333-3344, (December 2002)		
	<b>L</b>	<b>TINSLEY ET AL</b> , Primary Structure of Dystrophin-Related Protein, Nature, Vol. 360, pp. 591-593, (December 10, 1992)		
	<b>M</b>	<b>VAN DEUTEKOM ET AL</b> , Advances in Duchenne Muscular Dystrophy Gene Therapy, Nature Reviews Genetics, Vol. 4, pp. 774-783, (October 2003)		
	<b>N</b>	<b>WILSON ET AL</b> , Up71 and Up140, Two Novel Transcripts of Utrophin that are Homologues of Short Forms of Dystrophin, Human Molecular Genetics, Vol. 8, No. 7, pp. 1271-1278, (July 1999)		

Examiner Signature		Date Considered	
--------------------	--	-----------------	--

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 USC 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETE FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

## **REMARKS**

Listed on forms PTO/SB/08A/B are documents cited in the International Search Report dated December 16, 2005 in the corresponding International Patent Application No. PCT/US05/01768. A copy of the Report is enclosed, together with copies of the documents listed therein except for those listed below that were previously cited.

US 6,518,413 B1 and WINDER ET AL, FEBS Letters, 1995, were previously submitted in the IDS filed October 18, 2006.

The Examiner is respectfully requested to consider the enclosed document identified in this paper and in the attached Form PTO/SB/08A/B during the course of examination of this application.

Respectfully submitted,

HOWSON & HOWSON LLP  
Attorneys for Applicant

By Cathy A. Kdroff

Cathy A. Kdroff  
Registration No. 33,980  
501 Office Center Drive  
Suite 210  
Fort Washington, PA 19034  
Phone: (215) 540-9200  
Fax: (215) 540-5818